From: "Kolosseus, Andrew \(ECY\)" <AKOL461@ECY.WA.GOV>
To: "Zell, Christopher" <zell.christopher@epa.gov>
"Croxton, David" <Croxton.David@epa.gov>
Date: 7/6/2017 10:09:02 AM
Subject: New version of Deschutes letter

Chris and Dave:

Here's a new version of the letter with changes based on our conversation this morning. See track changes for the new paragraph and Deschutes bacteria listings. I also changed it to Lidgard.

Once you approve the new paragraph and complete the rest of the TBDs in the table, we should be done.

Thanks for your work on this.

Andrew

Andrew Kolosseus
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(360) 407-7543

July 13, 2017

Michael Lidgard, Director
Water Division, Office of Water and Watersheds
U.S. EPA Region 10
Attention: Chris Zell
1200 Sixth Avenue
Seattle, WA 98101

Dear Mr. Lidgard:

In accordance with 40 CFR 130.7 and Section 303(d)(1) of the Clean Water Act (CWA), the Washington State Department of Ecology (Ecology) submits the *Deschutes River, Percival Creek, and Budd Inlet Tributaries Multi-Parameter Total Maximum Daily Load (TMDL) Water Quality Improvement Report* for your review and approval. This TMDL addresses and establishes load allocations for temperature, fecal coliform bacteria, and fine sediment for your approval. The purpose of this letter is to ask EPA to focus on 23 segments impaired by water temperature, fecal coliform bacteria, and fine sediment.

The Deschutes River, Percival Creek, and Budd Inlet Tributaries Multi-parameter TMDL addresses 23 impaired segments on the 2014 Water Quality Assessment (303(d) list). The total number of TMDLs within this submission according to the 1996 counting convention is 18 (see Attachment A). The table in Attachment A clarifies and counts the water body segments addressed within this TMDL by showing their names and identification numbers.

The Water Quality Improvement Report with Implementation Plan includes all the requirements and other information necessary to determine the statutory and regulatory adequacy of this TMDL. In addition, the public participation during the development of the TMDL is captured along with a responsiveness summary in Appendix F. You will find the report at: https://fortress.wa.gov/ecy/publications/SummaryPages/1510012.html.

The TMDL includes allocations and an implementation plan for the 23 impaired segments for which this letter seeks approval. Ecology will fully implement these allocations and proceed with all aspects of the implementation plan within the Deschutes River and Budd Inlet Tributaries watershed. Meeting the allocations and completing the implementation plan are required to return the Deschutes River to a healthy state and protect aquatic life and recreational uses. Among the most critical implementation actions are establishment of forested stream-side vegetation corridors and conservation of existing stream-side vegetation corridors on the Deschutes River and other streams. Establishing these stream-side vegetation corridors is required to make significant progress on water quality problems. This will take a concerted effort on behalf of land owners, non-profit organizations, and governments in the watershed.

The TMDL implementation plan calls for actions to be completed by 2030. Compliance with numeric water quality standards will take longer since it takes time to achieve full mature riparian vegetation after it is planted. If the actions included in the implementation plan are not met by

2030, Ecology will submit an updated TMDL for the Deschutes River for necessary parameters by 2035.

Ecology augments the TMDL by clarifying the following two wasteload allocations for temperature to all permitted stormwater sources within the TMDL boundary.

1. All discharges shall not cause more than a 0.3°C increase in background stream temperature due to the combined effects of all human activities. That allowable 0.3°C increase is quantified using the following equation, which provides a numeric daily loading value to assess compliance with the allocation.

$$T_{eff} = T + 0.3 * \frac{Q + Q_{eff}}{Q_{eff}}$$

Where:

T = Background daily maximum temperature
Q = Daily average stream flow before discharge
Q_{eff} = Daily average stormwater discharge flow
T_{eff} = Temperature of allowable stormwater discharge

2. All discharges from stormwater systems shall not exceed T_{eff} calculated above and the numeric water quality standard found in WAC 173-201A of 17.5°C for the 7-DADMax.

In addition, Ecology clarifies the TMDL by expressing bacteria allocation in daily units (see Attachment B).

Ecology is currently preparing a dissolved oxygen TMDL for Budd Inlet. The Budd Inlet TMDL will set nutrient load and wasteload allocations for all sources of nutrient pollution to the Inlet. Such allocations will include aggregated or distributed allocations to pollution sources within the Deschutes River watershed and other tributaries to the Inlet as needed to achieve marine dissolved oxygen water quality standards. The Budd Inlet TMDL implementation plan will include nutrient reduction strategies that align with Puget Sound management objectives that target improved ecosystem health and attainment of water quality standards. More information on the Budd Inlet Dissolved Oxygen TMDL is available on our website at http://www.ecy.wa.gov/programs/wq/tmdl/deschutes/BudiInletCapitolLkTMDL.html. We will continue to work directly with EPA staff on the development of this TMDL. According to our current schedule, we plan to send a draft Budd Inlet TMDL to EPA for your full review by 2020 and send a completed TMDL for your approval by 2021.

Ecology will continue to fully support the entire implementation plan that addresses tributaries in the watershed and parameters not included in this submission. Full implementation is needed to restore water quality and meet water quality standards in the Deschutes River and other waters in the basin.

Ecology is confident that the complete work outlined in the report meets the objectives of the CWA and will result in achieving water quality standards for temperature, fecal coliform bacteria,

and fine sediment in the Deschutes River, Percival Creek, and Budd Inlet Tributaries. Your review and approval are greatly appreciated.

If you have questions or need clarification, please contact Andrew Kolosseus at andrew.kolossues@ecy.wa.gov or (360) 407-7543.

Sincerely,

Heather R. Bartlett
Water Quality Program Manager
Enclosures

cc: Laurie Mann, Region 10 EPA
Chris Zell, Region 10 EPA
bcc: Andrew Kolosseus, Rich Doenges, Diane Dent, Helen Bresler

Attachment A

Listing ID	Water Quality Assessment						Waterbody	Parameter	Reach Code	Count	
	2014	2012	2008	2004	1998	1996				2014	1996
45462	5	5	5	3	N	N	ADAMS CREEK	Bacteria	17110019007395	1	1
45695	5	5	5	3	N	N	ADAMS CREEK	Bacteria	17110019007396	1	--
16722	5	1	1	5	Y	Y	DESCHUTES RIVER	Bacteria	17110016000007	1	1
45480	5	5	5	3	N	N	ELLIS CREEK	Bacteria	17110019007661	1	1
45731	5	2	2	3	N	N	ELLIS CREEK, N.F.	Bacteria	17110019007581	1	1
3758	5	5	5	5	Y	Y	INDIAN CREEK	Bacteria	17110019020859	1	1
74218	5	3	3	3	N	Y	INDIAN CREEK	Bacteria	17110019000800	1	--
45212	5	5	5	3	N	Y	MISSION CREEK	Bacteria	17110019020856	1	1
3759	5	5	5	5	Y	Y	MOXLIE CREEK	Bacteria	17110019007890	1	1
3761	5	5	5	5	Y	Y	MOXLIE CREEK	Bacteria	17110019007948	1	--
3763	5	5	5	5	Y	Y	REICHEL CREEK	Bacteria	17110016000057	1	1
45559	5	5	5	3	N	N	SCHNEIDER CREEK	Bacteria	17110019007705	1	1
46061	5	5	5	3	N	N	SPURGEON CREEK	Bacteria	17110016000044	1	1
6232	5	5	5	5	Y	N	DESCHUTES RIVER	Fine Sediment	17110016000014	1	1
6576	5	5	5	5	Y	Y	DESCHUTES RIVER	Temperature	17110016000007	1	1
48711	5	5	5	3	N	N	DESCHUTES RIVER	Temperature	17110016000008	1	--
48713	5	5	5	3	N	N	DESCHUTES RIVER	Temperature	17110016000009	1	--
74253	2	3	3	3	N	N	BUTLER CREEK	Bacteria	17110019013133	1	1
45749	2	2	2	3	N	N	BUTLER CREEK, NW.F.	Bacteria	17110019007449	1	1
45343	2	2	2	3	N	N	BUTLER CREEK, SE.F.	Bacteria	17110019013134	1	1
45342	2	5	5	3	N	N	BUTLER CREEK, SW.F.	Bacteria	17110019007492	1	1

74210	2	3	3	3	N	N	DESCHUTES RIVER	Bacteria	17110016000012	1	1
46415	2	2	2	3	N	N	PERCIVAL CREEK	Bacteria	17110016007733	1	1
										23	18

Attachment B. Bacteria Daily Load Expressions for Water Quality Limited Segments in the Deschutes River, Percival Creek, and Budd Inlet Tributaries.

Listing ID[1] (#)	Waterbody (name)	Water Quality Target[4] (fecal coliform in col.100 mL $^{-1}$)	Load Capacity[5] (cfu day^{-1})	Wasteload Allocation[6] (cfu day^{-1})	Load Allocation[6] (cfu day^{-1})	Margin of Safety (cfu day^{-1})
TBD	Adams Creek	19	3.96E+08	1.98E+08	1.98E+08	implicit
TBD	Butler Creek	31	3.18E+08	1.59E+08	1.59E+08	implicit
TBD	Upper Deschutes River[2]	12	2.21E+10	1.10E+10	1.10E+10	implicit
16722 and 74210~~TBD~~	Lower Deschutes River[3]	37	9.04E+10	4.52E+10	4.52E+10	implicit
TBD	Ellis Creek	27	5.90E+08	2.95E+08	2.95E+08	implicit
TBD	Indian Creek	31	1.02E+09	5.10E+08	5.10E+08	implicit
TBD	Mission Creek	29	3.26E+08	1.63E+08	1.63E+08	implicit
TBD	Moxlie Creek	31	2.50E+09	1.25E+09	1.25E+09	implicit
TBD	Percival Creek	19	4.74E+09	2.37E+09	2.37E+09	implicit
TBD	Reichel Creek	26	1.25E+09	6.26E+08	6.26E+08	implicit
TBD	Schneider Creek	26	4.60E+08	2.30E+08	2.30E+08	implicit
TBD	Spurgeon Creek	42	5.45E+09	2.72E+09	2.72E+09	implicit

[1] Water Quality Limited Segment number as specified in 2014/2016 303(d) list

[2] Applies to reaches upstream of Offutt Lake

[3] Applies to reaches downstream of Offutt Lake

[4] Geometric mean bacteria density needed to achieve Part 2 of the water quality standard according to statistical rollback method

[5] Percent reductions reported in TMDL for each monitoring station remain effective as implementation targets

[6] Aggregate allocation to be achieved by all current and future sources of bacteria pollution

Commented [KA(1]: My assumption here is "lower" is the primary contact recreation and "upper" is the extraordinary contact recreation. Note that the dividing line *for recreation* is the national forest, not Offut Lake.

Commented [KA(2]: Both Deschutes bacteria listings are below the national forest

Commented [KA(3]: Note that the dividing line for bacteria (recreation use) is the national forest, not Offutt Lake. Offutt Lake is the dividing line for temperature (aquatic life use)